

REMARKS

The Examiner has found the Declaration, originally submitted with the parent application to this case, to be defective in that it fails to identify the citizenship of two of the inventors. A new Declaration executed by all inventors is being sought. However, all of the inventors are no longer in the employ of the corporate assignee and additional time is needed to secure all necessary signatures. A new Declaration will be submitted as soon as possible.

Claim 104 is pending in the application. It has been amended to more clearly define the present invention. No new matter has been introduced by the within amendments, which are fully supported by the Specification at page 1, line 9-12. Applicants request entry of the within amendments and favorable reconsideration of the amended claim.

The present invention relates to absorbent devices incorporating cold caustic extracted pulp which is not chemically crosslinked and which is fluffed prior to incorporation into the absorbent devices. In the production of absorbent devices such as baby diapers, incontinence and catamenial devices and wound dressings (i.e. absorption intensive devices), it has been conventional to use chemical crosslinking to increase the wet stiffness of cellulose fibers, so that a fiber matrix made from them retains its bulk and pore volume when wet, thereby enhancing its absorbency (see Specification at page 2, line 16 to page 3, line 10.)

Heretofore, it has not been possible to achieve commercially acceptable absorption, insult (or re-wetting), liquid retention properties, softness and pad integrity without the use of expensive crosslinking agents.

The present invention surprisingly discovered that by employing a pulp according to the invention, an absorbent core with desirable absorbency properties could be formed without crosslinking agents.

Section 102 Rejections

The Examiner rejected claim 104 prior to the within amendments as anticipated under Section 102 in view of U.S. Patent No. 3,932,209.

It is respectfully submitted that as amended claim 104 avoids the Examiner's §102 rejection because the reference relied upon by the Examiner teaches that chemical crosslinking, which is precluded by the claim, is necessary to produce caustic extracted pulp which is useful in absorbent articles. Specifically, Chatterjee (U.S. Patent No. 3,932,209) teaches that pulp fibers should be subjected caustic extraction and then chemically crosslinked and fluffed prior to incorporation into an absorbent article. See, Chatterjee, Col. 3, lines 3-17.

Chatterjee failed to appreciate that caustic extracted pulp prepared in accordance with the teaching of the present application possess absorption, insult, liquid retention, softness and pad integrity properties which enable them to be advantageously used in the claimed absorbent devices without chemical crosslinking.

Applicants on the other hand subjected dozens of pulps to caustic extraction at a variety of conditions and then subjected those samples to exhaustive absorbency testing. By this testing, which is referenced in great detail in the instant application, Applicants discovered that pulp which is caustic extracted and fluffed has superior absorbency properties without chemical crosslinking.

Accordingly, the reference relied upon by the Examiner would lead one skilled in the art to adopt the expedient of chemical crosslinking which the present invention seeks to avoid and which is expressly precluded by the amended claim.

It is respectfully submitted that Chatterjee cannot anticipate or render the presently claimed invention obvious since it teaches away from the invention by its reliance upon

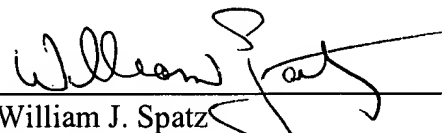
crosslinking, the avoidance of which is the expressed objective of the present invention. The Examiner is asked to note that the teaching of Chatterjee was known to those skilled in the art for almost 20 years before the making of the present invention. Since Chatterjee, the art has relied upon chemical crosslinking pulps to achieve the advantages which the present applicants have attained without resorting to such measures.

The present invention has great commercial significance in that it enables the manufacture of absorbent articles without the expense of chemical crosslinking. If Applicants invention were obvious, caustic extracted pulp would be widely used in absorbent devices, instead of crosslinked pulps. Since, it is not, it is evident that others have been led away from the present invention by Chatterjee.

For the foregoing reasons, it is submitted that the claim as amended is allowable and early issuance of a Notice of Allowability is respectfully requested.

The Commissioner is hereby authorized to charge any fee deemed necessary for the entry of this Amendment to Deposit Account No. 50-0540.

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